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EXAMINER
JACKSON, JENISE E

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _19 September 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Khidekel(6,636,975) in view of Schwartz et al.(6,668,044).

3.   As per claim 1, Khidekel discloses a method of providing authentication services to a

first user regarding a second user(see col. 3, lines 44-46, 50-58), requesting a certificate

corresponding to the second user from an authentication server(see col. 3, lines 50-58); returning

the certificate corresponding to the second user(see col. 2, lines 53-60); requesting authentication

of the certificate corresponding to the second user from a control program associated with the

second user; returning an authentication certificate from the control program associated with the

second user(see col. 3, lines 50-58); and verifying authentication by comparing the

authentication certificate corresponding to the second user and received from the control

program associated with the second user with the certificate received from the authentication

server(see col. 5, lines 3-50). The authentication information of Khidekel is supplied from the

user to the certificate authority(see col. 3, lines 27-50). The authentication information includes

biometrics information; Khidekel discloses that biometrics information can include voice

print(see col. 4, lines 16-18). Khidekel does not disclose establishing a telephone call between

the first user and the second user through a media gateway; detecting a voice command from the

first caller during the telephone call. Schwartz discloses establishing a telephone call between

the first user and the second user through a media gateway; detecting a voice command from the

first caller during the telephone call(see col. 9, lines 64-67, col. 10, lines 1-11 of Schwartz). It

would have been obvious to one of ordinary skill in the art at the time of the invention to include

Schwartz's establishing a telephone call between the first user and the second user through a

media gateway; detecting a voice command from the first caller during the telephone call, with

Khidekel, the motivation is that a call between two parties can be a means to authenticate the

identity of the parties to a conservation (see col. 1, lines 44-55 of Schwartz).

4.   As per claim 2, Khidekel discloses wherein the first user communicates with the second

user through a media gateway(see col. 3, lines 45-48).

5.   As per claim 3, Khidekel discloses monitoring the communication between the first user

and the second user so that the authentication server may notify the first user if the second user

changes or becomes untrustworthy(see col. 5, lines 37-67, col. 6, lines 1-23).

6.   As per claim 4, Khidekel discloses wherein the requesting of the certificate

corresponding to the second user from the authentication server, requesting authentication of the

certificate corresponding to the second user and the verifying authentication is performed by a

control program associated with the first user(see col. 2, lines 40-47).

7.   As per claim 5, Khidekel discloses wherein the first and second users are using client

devices configured to communicate with each other and with the authentication server(see col. 2,

lines 27-47).

8.   As per claim 6, Khidekel discloses wherein the client devices are smart phones(see col. 4,

lines 47-56).

9.   As per claim 7, Khidekel discloses wherein the authentication server has authenticated an organization and the second user is a member of the authenticated organization (see col. 5, lines 36-50).

10.   As per claim 8, Khidekel discloses wherein verifying authentication determines a level of trust between the first user, the authentication server and the second user(see col. 2, lines 9-21).

11.   As per claim 9, Khidekel discloses wherein the level of trust is a value corresponding to the probability that the authentication certificate corresponding to the second user and received from the control program associated with the second user is the same as the certificate received from the authentication server(see col. 5, lines 3-26).

12.   As per claim 10, Khidekel discloses wherein the authentication certificate corresponding to the second user and received from the control program associated with the second user includes a portion indicating the second user's identity (see col. 6, lines 42-63).

13.   As per claim 11, Khidekel discloses an authentication server configured to provide an authentication certificate to a user of a first client device for authentication (see col. 3, lines 44-46, 50-58), the first and second client devices being configured to communicate with each other and the authentication server, each of the first and second client devices including a user control program configured to communicate data to and from the authentication server(see col. 2, lines 53-60); and a media gateway coupled to the authentication server and enabling communication of media data from the first and second client devices to the authentication server(see col. 3, lines 50-58); wherein the user control program of the first client device is configured to receive a certificate corresponding to the user of the second client device and the authentication certificate from the authentication server being configured to authenticate the user of the second client

device by comparing the certificate corresponding to the second client device and the
authentication certificate(see col. 5, lines 3-50). However, Khidekel does not disclose in
response to a voice command of the first user requesting authentication of the second user(see
col. 9, lines 64-66, col. 10, lines 1-12). It would have been obvious to one of ordinary skill in the
art at the time of the invention to include Schwartz's establishing a telephone call between the
first user and the second user through a media gateway; detecting a voice command from the first
caller during the telephone call, with Khidekel, the motivation is that a call between two parties
can be a means to authenticate the identity of the parties to a conservation(see col. 1, lines 44-55
of Schwartz).

14.   As per claim 12, Khidekel et al. discloses wherein the authentication server is configured
to monitor the communication between the first user and the second user(see col. 4, lines 26-33).

16.   As per claim 13, limitations already been addressed(see claim 3).

17.   As per clam 14, Khidekel et al. discloses wherein the control program associated with the
first user is configured to request the certificate corresponding to the second user from the
authentication server, request authentication of the certificate corresponding to the second user
and verify authentication (see col. 5, lines 3-50).

18.   As per claim 15, limitations already been addressed(see claim 5).

19.   As per claim 16, limitations already been addressed(see claim 6).

20.   As per claims 17, limitations already been addressed(see claim 7).

21.   As per claim 18, limitations already been addressed(claim 8).

22.   As per claim 19, limitations already been addressed (see claim 9).

23.   As per claim 20, limitations already been addressed (see claim 10).

Response to Applicant's Remarks

24.   The Applicant states that Khidekel does not disclose one party authenticating another

party by a voice command. The Examiner disagrees with the Applicant. The Examiner did not

state that Khidekel discloses one party authenticating another party by a voice command. The

Examiner stated that in previous office action, "Khidekel does not disclose establishing a

telephone call between the first user and the second user through a media gateway; detecting a

voice command from the first caller during the telephone call"(pg. 2 of previous office action).

The Examiner stated that Khidekel discloses authentication information includes biometrics

information; Khidekel discloses that biometrics information can include voice print(see col. 4,

lines 16-18).

25.   The Applicant states that Schwartz does not disclose detecting a voice command from a

first caller during telephone call. Schwartz discloses one or more telephone lines are monitored

to detect the initiation or receipt of a telephone call(see col. 10, lines 1-4). The central archive

stores the monitored call, the call is recorded during a conversation(see col. 10, lines 1-63). The

central archive monitors the telephone lines to detect communications between particular

individuals based upon information stored in a database, including, for example, voice

recognition patterns(see col. 10, lines 6-12).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jenise E Jackson whose telephone number is (571) 272-3791.

The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 8, 2005

Primary Examiner
AU 2131
12/9/05